IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE THIRTY FIRST DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V.RAMANA

WRIT PETITION NO :30913 OF 1997

Between:

1.A.Narahari rao son of A.Seshagiri rao, aged35 yrs
contractor, r/o Malakpet, Hyderabad.

2.A.Babruvahana sonof A.Garudavahana aged 35 yrs
contractor, r/o Malakpet, Hyderabad.

3.N.Janardhan reddy sonof N.Krishna Reddy, aged 40 yrs,
contractor, r/o Vyshalinagar, Hyderabzad.

4.M/s Mahatma Gandhi Labour Conhtract Co.op Society
Ltd., rep. by President S.Rajendra Sagar, aged 40 yrs
contractor, r/o H.No.23-5-188,l/s Laldarwaja, Hyderabad

..... PETITIONERS

AND

1.Government of A.P. rep. by its Secretary
Finance and Planning,Secretariat, Hyderabad.

2.The Secretary, Govt. of A.P. (R & B) Hyderabad.

3.Superintending Enginer, R & B, Headquarter circle,Hyderabad

4Superintendent Engineer, Municipal Corporation of Hyderabad

(Against R4 dismissed for default as per Court order dt.5-9-2000)

5.SuperintendingEnginer,R & B,Rural Circle,Hyderabad.

...RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or directions more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in insisting for the deposit of Earnest Money Deposit in the shape of National Savings Certificate and postal

Term Deposit Scheme Certificate and also insist for submission of Tax clearance certificate from the Commercial Tax Dept and Experience certificate along with the tenders as being illegal, void and violative of Article 14 and 19(1)((g) of the Constitution of India and the same is liable to be set aside.

Counsel for the Petitioner:SMT.A.PANAKAJA

Counsel for the Respondents: G.P. FOR ROADSAND BUILDINGS

The Court made the following:

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ORDER

This Writ Petition is filed questioning the action of the respondents in insisting the petitioners to deposit the EMD in the shape of National Saving Certificates or Postal Term Deposit schemes and also Tax Clearance certificate along with the tender schedules.

This Court while admitting the writ petition, granted interim direction in W.P.M.P.No.36183 of 997, dated
24-11-1997 to issue tender schedules without insisting the petitioners to produce tax clearance certificates by accepting the EMD instead of National Savings Certificate.

None appeared for the petitioner. The learned Government Pleader for Roads & Buildings appearing on behalf of the respondents submits that the cause in this Writ Petition does not survive and it has become infructuous.

Accordingly, the Writ Petition is dismissed as having become infructuous. No costs.

31-03-2005

Hsd

Asst. Registrar

To

1.The Secretary, Government of A.P.
Finance and Planning,Secretariat, Hyderabad.

2.The Secretary, Govt. of A.P. (R & B) Hyderabad.

3.Superintending Enginer, R & B, Headquarter circle,Hyderabad

4.SuperintendingEnginer,R & B,Rural Circle,Hyderabad.

5. 2 C.Cs toG.P. for Roads and Buildings, High Court buildings, Hyderabad (OUT)

6. 2 CD copies.